



06-30-04

PATENT
Docket No. 559852000102

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV479817655US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 28, 2004.

Marco Jimenez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

John Stanley David STANIER

Serial No.: 10/697,667

Filing Date: October 29, 2003

For: INFLATABLE HUMANOID FORMS

Examiner: Bena B. Miller

Group Art Unit: 3712

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the document listed on the attached Form PTO-1449. Copies of the document are also submitted herewith. The Examiner is requested to make this document of record.

We have been advised that the document listed on the attached Form PTO-1449 comprises images from an Australian movie entitled "Around the World in 80 Ways," which was released in 1987. We have not been able to confirm this date.

07/02/2004 MBERHE 00000141 031952 10697667
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la-732290

We have also been advised that the premise of the movie is as follows: "The son of an elderly man, who is partially sighted, hatches a scheme to give his father the experience of a trip from Sydney, Australia to Hawaii, Las Vegas, Rome and Tokyo. . . . To implement this scheme, the son and two accomplices recreate (in one or more local venues) (i) a poolside environment in Hawaii; (ii) a Las Vegas casino and nightclub and (iii) the Vatican (among other places, such as the airport, hotel, etc.)." We have not been able to confirm this premise.

We have also been advised that "[i]n each of the recreated scenes, life-sized, inflatable humanoids are used to give the appearance of other people being present to the partially sighted elderly man." We have not been able to confirm that inflatable humanoids were used.

Nevertheless, the Applicants respectfully submit that the images do not affect the patentability of the present invention. The submitted images are no different than the images from the movie entitled "Legends of the Fall," which were submitted in the previous IDS, considered by the Examiner, and determined to be not relevant.

All of the submitted images from "Around the World in 80 Ways" and "Legends of the Fall" show humanoid figures as central characters in the scenes in which they are used, not as part of the background as in embodiments of the present invention (see claims 21, 37, 41 and 44). The humanoid figures in the two movies are limited to not more than a few strategically placed figures, and do not simulate a crowd as in embodiments of the present invention (see claims 21, 37, 41 and 44). In addition, the humanoid figures in the two movies are not placed in close proximity to one another to simulate a crowd, as in embodiments of the present invention (see claims 41 and 44). Furthermore, because the humanoid figures in the two movies were central characters in the scenes in which they are used, they are in sharp focus, and were not visually recorded in a manner that did not capture a clear image of the figures as in embodiments of the present invention (see claims 41 and 44). Moreover, because the humanoid figures in the two movies were prominently displayed and were filmed in sharp focus, the figures were

realistic and had all of their limbs, and were not merely portions of humanoids as in
embodiments of the present invention (see claims 41 and 44).

This Supplemental Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

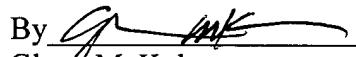
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **559852000102**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 28, 2004

Respectfully submitted,

By 
Glenn M. Kubota
Registration No.: 44,197
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Los Angeles, California 90013
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Attorneys for Applicant(s)



Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 559852000102	Application Number 10/697,667
Applicant	John Stanley David STANIER
Filing Date October 29, 2003	Group Art Unit 3712
Mailing Date June 28, 2004	

Express Mail - EV479817655US

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	1.	19 pages of color images from an Australian movie entitled "Around the World in 80 Ways," released 1987 (unconfirmed)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

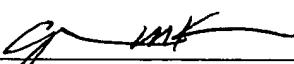
(to be used for all correspondence after initial filing)

		Application Number	10/697,667
		Filing Date	October 29, 2003
		First Named Inventor	John D. S. STANIER
		Art Unit	3712
		Examiner Name	Bena B. Miller
Total Number of Pages in This Submission	1	Attorney Docket Number	559852000102

ENCLOSURES (Check all that apply)

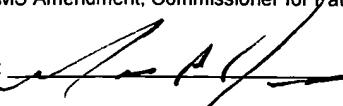
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement (supplemental)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Glenn M. Kubota - 44,197 MORRISON & FOERSTER LLP (CN 25224) 555 West Fifth Street, Los Angeles, CA 90013
Signature	
Date	June 28, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail, Label No. EV479817655US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 28, 2004

Signature: 

(Marco Jimenez)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

JUN 28 2004

X Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known	
Application Number	10/697,667
Filing Date	October 29, 2003
First Named Inventor	John D. S. STANIER
Examiner Name	Bena B. Miller
Art Unit	3712
Attorney Docket No.	559852000102

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

X Deposit Account:

Deposit Account Number **03-1952**

Deposit Account Name **Morrison & Foerster LLP**

The Director is authorized to: (check all that apply)

X Charge fee(s) indicated below X Credit any overpayments

X Charge any additional fee(s) required under 37 CFR 1.16 and 1.17

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	420	2252	210 Extension for reply within second month
1253	950	2253	475 Extension for reply within third month
1254	1,480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	480	2502	240 Design issue fee
1503	640	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)		Terminal Disclaimer	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Glenn M. Kubota	Registration No. (Attorney/Agent)	44,197
Signature		Date	June 28, 2004

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